



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#137
TD

Applicant: Wu *et al.*

Group Art Unit: 1634

Serial No.: 09/030,571

Examiner: Forman, B.J.

Filed: February 24, 1998

For: POSITIONAL SEQUENCING BY HYBRIDIZATION

TERMINAL DISCLAIMER

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Sir:

The owner, THE TRUSTEES OF BOSTON UNIVERSITY, of 100 percent interest in the above-captioned application, hereby disclaims the terminal part of any patent granted on the above-captioned U.S. application Serial No. 09/030,571 that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of U.S. Patent No. 6,007,987. The owner hereby agrees that any patent so granted on the above-captioned application shall be enforceable only for and during such period that it and U.S. Patent No. 6,248,767 are commonly owned. This Agreement runs with any patent granted on the above-captioned application, and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-captioned application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. 6,248,767, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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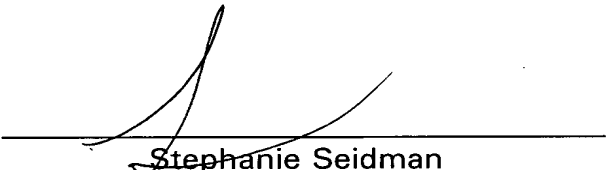
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned states that I am an attorney of record in this case for Petitioner, and am authorized to sign on behalf of the Petitioner. I hereby declare that to the best of my knowledge and belief, title is in the assignee, THE TRUSTEES OF BOSTON UNIVERSITY, identified above.

Enclosed is a check including \$110.00 for the fee for filing of this Terminal Disclaimer, as required by 37 C.F.R. § 1.20(d).

Dated: October 7, 2002

By: _____


Stephanie Seidman
Attorney of Record
Reg. No. 33,779